MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

AUGUST 4, 2015

INVOCATION:
Pastor Joe Hunt of Pacific Christian Center gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Waterfield led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Patino called the meeting to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, Building Division Manager Cardona, Community Programs Manager Coelho-Hudson, Police Division Commander Greene, City Librarian Housel, Director of Public Works/City Engineer Kahn, Assistant City Attorney Mollenkopf, Fire Chief Orr, Director of Recreation & Parks Posada, Assistant City Attorney Sinco, Director of Utilities Springer, Deputy City Manager Stilwell, Deputy City Manager Tse, Director of Administrative Services Visé, and Deputy City Clerk Cleary.

1. PROCLAMATIONS/COMMENDATIONS/PRESENTATIONS:

A. COMMENDATION FOR KAREN CORDARY – BLOCK GRANTS ADVISORY COMMITTEE
Mayor Patino presented Resolution No. 2015-75 to retiring Block Grants Advisory Committee Member, Karen Cordary, commending and thanking her for 18 years of service to the Committee and community.

Resolution No. 2015-75 was adopted on motion by Mayor Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmember Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2015-75 adopted. A RESOLUTION OF THE CITY OF SANTA MARIA, CALIFORNIA, COMMENDING KAREN CORDARY ON HER RETIREMENT AS A MEMBER OF THE BLOCK GRANTS ADVISORY COMMITTEE.

Ms. Cordary commented on how rewarding the Committee work had been for her. She recalled helping with numerous fundraisers and working closely with Councilmembers.

The City Council thanked her for her years of service, inspiration, and wisdom.

B. PROCLAMATION – JULIUS AND BETTYE FORD DAY
Councilmember Waterfield presented a proclamation to Julius and Bettye Ford recognizing and thanking them for 45 years of service to the residents of Santa Maria and recalling numerous activities they have participated in over the years.

Mr. and Mrs. Ford thanked the City for the joy and peace the citizens of Santa Maria have brought to them.

2. PUBLIC COMMENT PERIOD
Richard Dydell, stated he was at the meeting as a spokesperson for the Central California Immigration Reform group. He said he would be visiting a future Council meeting to distribute information on the topic of immigration reform and the increased need for security on school properties.

3. CONSENT CALENDAR:
Councilmember Boysen recused himself from voting on Item 3E (Warrants) due to a financial conflict of interest.

Councilmember Zuniga asked that Item 3D (Modifications to the Deputy Fire Chief classification) be pulled for discussion. She expressed concern about the elimination of the requirement that the Deputy Fire Chief have an Emergency Medical Technician (EMT) Certification.

City Manager Haydon stated the Deputy Fire Chief position is a management level position, similar to that of Fire Chief that focuses on the command of an incident, whereas the EMT Certification is a skill set designed for first responders. He compared the job specification requirement to the Police Department where the Police Chief specifications require only a valid driver's license, yet the first responders require agility tests.

Councilmember Zuniga asked if a recruitment was being done with City staff already working in the department and, if someone moved up into the position, would they be carrying over their EMT Certification.

City Manager Haydon explained the City is currently conducting an open recruitment. The concern comes with the requirement of an EMT I Certification, and the possible limits that might impose on the pool of applicants who are otherwise well-qualified for the position. The Human Resources Department did ask for input from the consulting firm Management Partners, who concurred with the decision.

Councilmember Waterfield asked what training first responders are equipped with when they respond to an incident.

City Manager Haydon explained that when an emergency strikes, it brings all hands on deck and everyone participates where they can. Basic EMT training is a six-month certification. CPR certification would be a one-day class. CPR and a Hazardous Materials Certification are required in the Deputy Fire Chief position within 12 months of appointment.

Consent Calendar Items 3A through 3F (except Item 3E) were approved on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Item 3E (Warrants) was approved on motion by Councilmember Orach, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Boysen

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular Meeting of the City Council of July 21, 2015, were approved as submitted.

C. OFFICE OF TRAFFIC SAFETY PEDESTRIAN SAFETY PROGRAM, GRANT PS1604
Resolution No. 2015-76 was adopted authorizing the appropriation of $50,000 to be allocated to the Santa Maria Police Department under the provisions of the Office of Traffic Safety (O.T.S.) Pedestrian Safety Program, Grant PS1604, in concert with the terms and conditions contained therein.

Resolution No. 2015-76 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROPRIATING FUNDING UNDER THE CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT PROGRAM #PS1604.

D. DEPUTY FIRE CHIEF CLASSIFICATION MODIFICATIONS
Resolution No. 2015-77 was adopted approving modifications to the Deputy Fire Chief Classification job description to be consistent with that of the Fire Chief position in not requiring a valid Emergency Medical Technician 1 Certificate and requiring possession of the State approved Hazardous Material First Responder Incident Commander Certificate within twelve months of appointment.

Resolution No. 2015-77 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING MODIFICATIONS TO THE DEPUTY FIRE CHIEF CLASSIFICATION.

E. WARRANTS
Warrant Nos. 194724 to 195016 totaling $6,362,502.77 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant No. 190001 was cancelled.

F. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

4. PRESENTATION ON THE CITY OF SANTA MARIA'S PROACTIVE CODE ENFORCEMENT SIX MONTH UPDATE. Assistant City Attorney Sinco and Code Compliance Supervisor Moreno gave a presentation as detailed in the Council Agenda Report. On February 17, 2015, the City Council approved a list of seven municipal code violations that staff could enforce on a proactive basis to improve community aesthetics: 1) Junk, trash, and debris; 2) Inoperable vehicles; 3) Parking on and blocking sidewalk; 4) Parking on unpaved surfaces; 5) Weeds; 6) Broken windows; and 7) Illegal signs. Council requested that Staff return in six months to provide an update.

Since then, a total of 300 new cases of violations have been proactively enforced. This increase resulted in a decrease in enforcing other types of code enforcement violations such as illegal camping, living in RVs, yard sales held during the work week, and trash/recycling containers being improperly located.

A Code Compliance Volunteer Program was recently initiated. With the volunteers in place, code Compliance staff will be able to focus on the more complex code violations. The new volunteers have already conducted 500 property inspections in residential neighborhoods. To date, 61 cases and warning notices have been issued. Of these, only 17 cases needed code compliance staff follow-up. Staff expects a noticeable improvement to the aesthetics of residential and commercial neighborhoods thanks to the new volunteer program.

Code Compliance Supervisor Moreno introduced the Code Compliance Volunteers Michael Evans, Dick Dydell, and George Novoa; and stated that the fourth volunteer, Michael Steins, was unable to attend the meeting.

Assistant City Attorney Sinco explained that educational flyers were going to be mailed out with customer utility bills to help increase awareness of code enforcement violations and ways to avoid them. These flyers have been, and will continue to be, distributed at public events throughout the City.

On a side note, Assistant City Attorney Sinco also informed the Council that the Santa Maria Police Department had recently conducted a compliance check for bath salt sales at 23 locations in the City and reported 100 percent compliance.

Councilmember Zuniga asked if there was a concern about the decreased attention to other code enforcement violations by staff while they were focusing on the list of seven items Council had requested.

Assistant City Attorney Sinco responded that there was not a concern and that this was meant to be a factual statement, and that increasing proactive enforcement of the seven identified violations naturally resulted in a decrease in proactive enforcement of other types of violations.

Councilmember Boysen asked if City staff knew whether the County might be drafting an Ordinance regarding bath salts.

Assistant City Attorney Sinco responded that staff had not had a conversation with the County regarding a Countywide Ordinance on bath salts.

Public Input
Fred Sioroia praised the code compliance staff and volunteers. He and some of his neighbors had reported violations to the Police Department and all but a few had been resolved within 14 days.

Mayor Patino announced the next Serve Santa Maria event was scheduled for August 29 at 8:30 a.m. meeting at the Maldonado Center. She recognized and thanked the code compliance volunteers for their efforts.

Councilmember Boysen announced that Judge Kuns, a local judge who works with the Santa Barbara County Teen Court Program, had let him know that any teens needing to do community service would receive five hours of credit for one hour of service at the Serve Santa Maria event.

5. COMMERCIAL VEHICLES ON RESIDENTIAL PROPERTIES. The City Council was asked to provide direction to staff concerning possible revisions to the City's regulations regarding the parking of commercial vehicles on residential properties. Assistant City Attorney Sinco gave a presentation as detailed in the Council Agenda Report.

Section 5-6.202(h) of the Santa Maria Municipal Code currently restricts the parking of commercial vehicles on residentially zoned properties and defines commercial vehicles as: 1) vehicles in excess of 10,000 pounds gross weight; 2) vehicles wider than 8 feet, higher than 7 feet, or longer than 21 feet; 3) tank vehicles, paratransit vehicles and transit buses, water tenders, street sweepers and armored vehicles; 4) buses; 5) semi-trailers and truck tractors; 6) pickup trucks with a utility body; 7) trailers for commercial purposes; 8) tow trucks; and 9) taxicabs. The aforementioned vehicles are allowed to park on streets, but not on residential lots unless they are out of view of the public

Section 12-29.10 requires any vehicle with permanently affixed commercial signage used in connection with a home occupation to be parked in a garage or carport. . In addition, staff has treated vehicles with commercial signage as commercial vehicles under Section 5-6.202(h) because they are intended to be used for commercial purposes. Although these vehicles are not allowed to be parked on residential parcels in view of the public, subject to some exceptions, they may be parked on any public street.

At the February 17, 2015, City Council meeting, Council expressed an interest in revising the regulations to permit and allow certain types of vehicles to be parked on residential property.

Staff proposed two possible amendments that would allow for some commercial vehicles to park on residential properties, which are: 1) allowing vehicles that are otherwise normal passenger vehicles, but which have commercial signage on them; and 2) allowing additional types of vans and/or pickup trucks with utility bodies, regardless of whether or not they have commercial signage on them, and within specified size requirements.

Code Compliance Supervisor Moreno presented a power point with examples of code compliance violations. He explained that some of the pickup trucks with utility bodies violating the current Code, could be converted to regular passenger trucks.

Discussion ensued as to what differentiates a pickup truck with a utility body from a standard pickup truck. Code Compliance Supervisor Moreno responded that pickup trucks are all registered as commercial vehicles, but are exempt from the City's commercial vehicle regulations if they are not being used for commercial purposes and have no signage on them and may be parked on residential lots.

Councilmember Zuniga asked if the vehicles being discussed were permitted to park on the street.

Assistant City Attorney Sinco responded that it was legal for them to park on the street, but that, as with any other vehicle, they would be subject to state law requiring them to move every 72 hours. Additionally, staff has interpreted the Home Occupation ordinance (Section 12-29.10) to not allow vehicles with commercial signage associated with a home occupation to park in the street.

Code Compliance Supervisor Moreno continued the PowerPoint presentation stating that trailers are now, and will continue to be, prohibited from parking on residential lots.

Councilmember Orach asked about oversized trucks with larger side mirrors that encroach on the sidewalk and how the City handles that situation under the Municipal Code as it could be a hazard for pedestrians.

Assistant City Attorney Sinco responded that there is an ordinance prohibiting blocking of the sidewalk with a vehicle.

Public Input
Daniel Cadena Jr. expressed concern about the width of commercial trucks and the ability of safety crews to gain access to a street during an emergency. He recalled a fire in his neighborhood during which emergency vehicles had to wait for residents to move their vehicles out of the way.

Council Discussion
Councilmember Waterfield asked if there was a Code that specifically addressed commercial vehicles being a potential danger to a neighborhood. For example, blocking the view of children running out into the street.

Code Compliance Supervisor Moreno said that that particular situation would fall under the City of Santa Maria's Municipal Code Title 7 and the Santa Maria Police Department along with the California Vehicle Code.

Assistant City Attorney Sinco added that frequently, with regard to parking, there are regulations to help improve visibility for a driver and prohibiting parking in certain locations.

There was general consensus, with regard to specific subdivisions, that the streets are frequently too narrow to allow for parking of commercial vehicles.

Councilmember Boysen commented that if a vehicle meets all the requirements of a vehicle that could be parked within the normal set-backs of a house, not extending onto the sidewalk, business people with commercial cars should be allowed to park on their own property without penalty. He also said he believed trying to regulate signage could be very difficult. California contractors are required to have their license number on their truck. Complaints have come from people parking in their own driveways and being cited. He suggested amending the ordinance with a stipulation that it sunset in a year and seeing if it helps the situation.

Councilmember Zuniga stated that if residents with commercial vehicles are not allowed to park in their driveway, they will park in the street. With multi-car families, streets are already very congested.

Councilmember Waterfield said the most common sense approach would be to take the passenger vehicle and allow it to be parked in its driveway. She expressed concern with larger vehicles parking in the street, particularly with regard to safety and visibility for drivers.

Assistant City Attorney Sinco responded that the City has worked closely with the Fire Department on the issue of narrow streets and safety access. He also asked for clarification on passenger vans and height restrictions.

Councilmember Boysen stated he was more concerned with trucks that were modified to be larger than their bed dimensions.

Assistant City Attorney Sinco noted that there appeared to be a consensus of the Council to bring back an ordinance for consideration based on option one of the two proposed options in the staff report, that would allow passenger-type vehicles to be parked on residential properties, and to amend the City's home occupation regulations to permit these vehicles to be parked on driveways, regardless of any signage on them. The ordinance would also allow commercial vans to be parked on residential properties if they did not exceed the limitations on vehicle size currently in the ordinance, as well as pickup trucks with utility bodies so long as they did not extend beyond the dimensions of the beds of the pickup trucks. Councilmember Orach requested consideration for not only for emergency vehicles to be able to gain access on any given City street, but also for collection vehicles that otherwise may not be able to get to garbage and green waste pick-up. He also asked for clarification on tinted windows and what the law was regarding them.

Police Division Commander Greene responded that the vehicle code does allow for tinting, but only on the back windows and not wrapping around on the passenger's or driver's sides.

Assistant City Attorney Sinco stated that Staff would be happy to work with individual situations where necessary.

6. RESIDENTIAL ROOFTOP SOLAR SYSTEMS. The City Council was asked to introduce Ordinance No. 2015-09, required by AB2188 to be enacted and effective prior to September 30, 2015, that provides for the creation of a streamlined and expedited permitting process for small residential

rooftop solar energy systems. Community Development Director Appel gave a presentation as detailed in the Council Agenda Report. He distributed a sample standard permit application form which would be placed on-line and filled out on-line to be submitted to the Community Development Department.

AB2188, established by the California Legislature last year, requires local jurisdictions to adopt an ordinance that will be in effect by September 30, 2015, that creates a streamlined, expedited permitting process for small residential rooftop solar energy systems specifically designed for electricity and hot water heating systems. The ordinance requires only one inspection, but installing a solar energy system is actually a two-step process. Once the permit has been issued, the company places the fittings on the roof. The second step is to set the panels on top. A single inspection would not allow for a follow-up to make sure the final hook-up is correctly done.

AB2188 also mandates that approval from a Home Owners Association is not required. The City processes approximately 10 – 15 solar energy permit requests per week. The process takes less than three days. The proposed amendment would allow applicants to waive the single inspection requirement in favor of an agreed upon schedule of inspections.

Public Input
There were no requests to speak.

Councilmember Discussion
Councilmember Boysen asked what defines a small solar panel system and if anything over that still required the same permitting as previously required.

Community Development Director Appel responded that a small solar panel system is less than 10 kilowatts. Anything over that could still be permitted, but would not need to have the expedited processing.

Councilmember Orach said he thought the second inspection would be important for a Home Owners Association that was responsible for rooftops. He also commented on potential issues with the sale of the house. The second inspection would be very important for the people doing the installation.

Ordinance No. 2015-09 was introduced for first reading, and continued to the next meeting for second reading and adoption, amending Title 9 of the Santa Maria Municipal Code by adding Chapter 18, Residential Rooftop Solar Systems, on motion by Councilmember Boysen, seconded by Councilmember Orach, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2015-09 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING TITLE 9 OF THE CITY OF SANTA MARIA MUNICIPAL CODE BY ADDING CHAPTER 18 CONCERNING THE CREATION OF AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS.

REPORT BY CITY MANAGER:
City Manager Haydon reported on items for the August 18, 2015, meeting and reminded everyone the meeting would be held in Shepard Hall at the Library. He also announced board openings on the Board of Appeals, Block Grants Advisory Committee, and the Measure U2012 Citizens' Advisory Committee. Items for the August 18th meeting will include two bond releases, an Office of Traffic Safety grant, a public hearing regarding the Chapel Car Wash, a 4th quarter budget report, and a joint meeting with the Planning Commission to discuss the Downtown Specific Plan. He also reiterated the date for the next Serve Santa Maria would be on August 29.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS):
Councilmember Zuniga reported that she attended the Special Olympics dinner; the Downtown Specific Plan (DTSP) Community Meeting; a meeting with the Board of Equalization; and the Special Olympics send-off breakfast.

Councilmember Waterfield reported that she attended the Bonita Packing ribbon cutting celebration regarding their expansion on Stowell Road; the Special Olympics welcome breakfast at McDonalds; the North County CADA Advisory Board meeting; the Special Olympics send-off breakfast; spoke at

the Planned Parenthood rally; attended the new Jimenez School dedication; and the Oakley Park ground breaking.

Councilmember Boysen reported that he attended the Oakley Park ground breaking and congratulated the Police Department for the success of National Night Out. He also stated he had been on vacation for the last couple of weeks.

Councilmember Orach reported that he attended the Special Olympics send-off breakfast; the DTSP meeting; the Jimenez School dedication; the membership appreciation night with the SM Elks; the Oakley Park dedication; and is currently undergoing the screening process for jury duty.

Mayor Patino reported that she attended the Special Olympics breakfast at McDonalds; the Special Olympics dinner dance; the DTSP meeting; the Bonita Packing ribbon cutting BBQ; the send-off dinner for the Special Olympics; a meeting with the State Board of Equalization; an ag forum meeting; the Special Olympics breakfast after which the athletes departed for Los Angeles with a nice sendoff from the Santa Maria Police Department; a spaghetti meal with the New Hope Baptist Church; and the groundbreaking ceremony at Oakley Park. She also spoke on the Ben Heighes radio show and attended the National Night Out event. Mayor Patino reminded everyone of the next Serve Santa Maria event scheduled for August 29, 2015 at the Maldonado Center and invited interested participants to be there by 8:30 a.m. She also invited the community to contact City Hall with any potential projects for the event.

CLOSED SESSION:
The City Council recessed at 8:14 p.m. to a Closed Session regarding Conference with Legal Counsel – existing litigation pursuant to Government Code Section 54956.9 Subdivision (d)(1). *Hermelinda Duarte-Garcia, et al. v. City of Santa Maria, et al.*, Case No. 1456748, consolidated with 1456925, Santa Barbara County Superior Court, Cook Division.

CLOSED SESSION REPORT:
Following the Closed Session, the Assistant City Attorney reported that there was no reportable action.

ADJOURNMENT:
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 8:29 p.m.

APPROVED:

August 18, 2015
Date

M. Beth Cleary
M. Beth Cleary
Deputy City Clerk of the City of Santa Maria and
ex officio Clerk of the City Council

ATTEST:

M. Beth Cleary
M. Beth Cleary
Deputy City Clerk

Alice M. Patino
Alice M. Patino
Mayor of the City of Santa Maria